

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

* * *

EUGENE KLINE, et al.,

Plaintiffs,

vs.

CASE NO. 3:08-cv-408

MORTGAGE ELECTRONIC

REGISTRATION SYSTEMS, et al.,

Defendants.

* * *

Deposition of DENNIS REIMER,

Witness herein, called by the Plaintiffs for cross-examination pursuant to the Rules of Civil Procedure, taken before me, Stacey M. Mortsoff, a Notary Public in and for the State of Ohio, at the offices of Ulmer & Berne, 600 Vine Street, Suite 2800, Cincinnati, Ohio, on Friday, February 20, 2015, at 10:16 a.m.

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EXHIBIT

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Page 103

1 Q. Just tell me whenever -- with
2 respect to fees and expenses which are allowed
3 to be charged or passed on to borrowers in a
4 foreclosure in which you represent a lender or
5 trustee for a lender, did Reimer Lorber have
6 any -- Reimer Lorber, RLA, have any policies,
7 written policies, saying what could and could
8 not be passed on?

9 A. I don't believe -- there may have
10 been, but I don't recall what they were. I
11 know what they would be, but I don't know if
12 there was any written policies.

13 Q. Were there policies that weren't
14 written down?

15 A. Yes.

16 Q. And what were those?

17 MS. BROWN: Objection.

18 THE WITNESS: The policies were that
19 on reinstatements you could charge attorney fees,
20 you could charge for reasonable expenses, and for
21 payoffs, attorney fees under Ohio law is not
22 chargeable to a borrower. Also, on payoffs the
23 cost of them doing business was not allowable.
24 For example, a BPO, a broker's price opinion,
25 wasn't allowable. And the reason it wasn't

Page 104

1 allowable was because you couldn't charge a
2 borrower for your cost in overhead.

3 So, for example, if you had to do an
4 assignment of mortgage, you couldn't pass it on to
5 the borrower. That wasn't one of the expenses.
6 TILA didn't provide for any of that. So those
7 were not -- and those were not allowable in
8 payoffs of the loan, but in reinstatements they
9 were. That was the policy. We didn't charge
10 attorney fees on payoffs or anything else that we
11 felt was improper, which is PLOs and things of
12 that nature.

13 BY MR. GROBMAN:

14 Q. And what about MERS registration
15 fees?

16 A. I don't even know what a MERS
17 registration fee is.

18 Q. Neither did I. And in terms of
19 the notes, are mortgage notes uniform,
20 generally --

21 MS. BROWN: Objection.

22 BY MR. GROBMAN:

23 Q. -- by state?

24 A. Yeah. Over the years they've
25 changed and changed and changed and changed.